

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

IN RE: VITAMIN ANTITRUST
LITIGATION

) MDL No. 1285

) Misc. No. 99-0197 (TFH)

) This Document Relates to:

) Nutra-Blend L.L.C. v. F. Hoffmann-La
) Roche, Ltd., et al., Civil Action No. 99-
) 3329 (W.D. Mo.)

FILED

SEP 03 2002

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

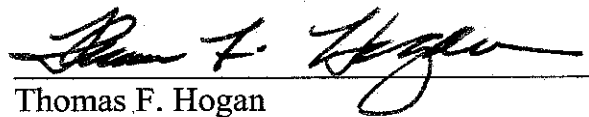
TFH
**(Proposed) ORDER GRANTING NUTRA-BLEND L.L.C.'S MOTION TO DISMISS
DEFENDANTS E. MERCK, MERCK KGaA, and EM INDUSTRIES, INC.**

This matter being presented to the Court in connection with the unopposed motion of Plaintiff Nutra-Blend L.L.C. to Dismiss Defendants E. Merck, Merck KGaA, and EM Industries, Inc.,

IT IS HEREBY ORDERED that the Second Amended Complaint in this action is dismissed with prejudice solely against Defendants E. Merck, Merck KGaA, and EM Industries, Inc., each party to bear its own costs. This Order is without prejudice to Plaintiff Nutra-Blend L.L.C.'s claims against any other Defendant or alleged co-conspirator in the above-captioned case.

IT IS SO ORDERED.

Dated: September 3, 2002


Thomas F. Hogan
United States District Judge